

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

SANDY J. BATTISTA,

Plaintiff,

v.

LOUIS S. SPENCER,
MICHAEL CORSINI, in their official capacities;

Defendants.

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) Civil Action No.
) 05-11456-DPW
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**PLAINTIFF’S MOTION FOR AWARD OF
ATTORNEYS’ FEES AND BILL OF COSTS**

Pursuant to 42 U.S.C. § 1988, 28 U.S.C. § 1920, and Rule 54(d)(2), Plaintiff Sandy J. Battista (“Plaintiff”) respectfully moves this honorable Court to award her counsel, McDermott Will & Emery LLP (“McDermott”), its attorneys’ fees and costs in the above captioned civil action. Plaintiff prevailed at trial and on appeal on its substantive claims brought under the Eighth and Fourteenth Amendments. Under 42 U.S.C. § 1988, 28 U.S.C. § 1920, and Rule 54(d)(2), McDermott, as counsel for the prevailing plaintiff, is entitled to reasonable attorneys’ fees and costs. Plaintiff seeks the following fees and costs:

FEES	
ATTORNEY TIME	\$748,168.75
COSTS	
EXPERT EXPENSES	\$ 28,947.10
TELEPHONE CHARGES	\$356.56
SUBPOENA COSTS	\$1,478.20

DEPOSITION COSTS/ COURT TRANSCRIPTION	\$ 30,750.06
TRAVEL CHARGES	\$ 1,155.66
PACER/ECF FILING	\$1,352.88
TOTAL COSTS	\$ 64,040.46

In support of its Motion, Plaintiff relies on the accompanying Memorandum and Affidavit of Neal E. Minahan, Esq.

WHEREFORE Plaintiff requests that its Motion for Attorneys' Fee be allowed and that Defendant pay McDermott a total of \$812,209.21 in attorneys' fees and costs, plus post-judgment interest.

Respectfully submitted,

SANDY J. BATTISTA

By her attorneys,

/s/ Neal E. Minahan

Neal E. Minahan (# 661371)

Dana M. McSherry (# 664430)

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Dated: July 25, 2011

CERTIFICATE OF SERVICE

I hereby certify that this document and all attachments, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on July 25, 2011.

/s/ Neal E. Minahan
Neal E. Minahan (# 661371)

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